

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-9 are pending in this application. Claim 1 was rejected under 35 U.S.C. § 102(b) as anticipated by U.S. patent 4,871,261 to Randklev. Claim 2 was rejected under 35 U.S.C. § 103(a) as unpatentable over Randklev in view of admitted art. Claims 3-6 were objected to as dependent upon a rejected base claim, but were noted as allowable if rewritten in independent form to include all of the limitations of their base claim and any intervening claims. Claims 7-9 are allowed.

Initially, applicants gratefully acknowledge the indication of the allowance and allowable subject matter in claims 3-9.

Addressing now the rejection of claim 1 under 35 U.S.C. § 112(b) as anticipated by Randklev, and the rejection of claim 2 further in view of admitted art, those rejections are traversed by the present response.

It is initially noted that claim 1 is amended by the present response to clarify features recited therein. Specifically, claim 1 now recites “the capsule containing an outlet hole through which the dental restoration material passes”. That feature is shown for example in Figure 2 in the present specification with outlet hole 1b formed in the capsule. Claim 1 now also recites that the plunger includes “a protrusion portion configured to fit into said outlet hole of said capsule”, and that the dental restoration material is extruded “when moving and inserting the protrusion portion into said outlet hole”. That subject matter is also shown for example in Figure 2 in the present specification with respect to the protrusion portion 3a of the plunger 3 that fits into the outlet hole 1b. That subject matter is also discussed in the present specification for example at page 13, line 16 et seq.

Such a structure as claimed in the claims is believed to clearly distinguish over the applied art.

Specifically, Randklev does not disclose or suggest the use of a plunger with a protrusion fitting into an outlet hole. For example in Figures 3 and 5 Randklev clearly discloses plungers only having rounded top portions, i.e., without any protrusion portions.

In such ways, amended independent claim 1, and the claims dependent therefrom, are believed to clearly distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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